

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

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DIRECTION 50

Validation under the Plenary Powers of the generic name
Homalaspis Milne Edwards (A.), 1863 (Class Crustacea,
Order Decapoda) (correction of an error in *Opinion* 85)

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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(16th December 1954)

DIRECTION 50

VALIDATION UNDER THE PLENARY POWERS OF THE
GENERIC NAME "HOMALASPIS" MILNE
EDWARDS (A.), 1863, (CLASS CRUSTACEA,
ORDER DECAPODA) (CORRECTION
OF AN ERROR IN
"OPINION" 85)

RULING :—(1) Under the Plenary Powers the generic name *Homalaspis* Reinhard, 1860 (Class Insecta, Order Hymenoptera) is hereby suppressed for the purposes both of the Law of Priority and of the Law of Homonymy.

(2) The following revised entry on the *Official List of Generic Names in Zoology* for the Name No. 320 is hereby substituted for the entry in respect of that Name Number made by the Ruling given in *Opinion* 85 :—

Homalaspis Milne Edwards (A.), 1863, as validated under the Plenary Powers under (1) above (gender : feminine) (type species, by original designation : *Xantho planus* Milne Edwards (H.), 1834).

(3) The under-mentioned generic name is hereby placed on the *Official List of Generic Names in Zoology* with the Name No. 1036 :—*Omalaspis* Giraud, 1860 (gender : feminine) (type species, by monotypy : *Omalaspis noricus* Giraud, 1860) (Class Insecta, Order Hymenoptera).

(4) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* with the Name Nos. 1057 and 1058 respectively :—

(a) *planus* Milne Edwards (H.), 1834, as published in the combination *Xantho planus* (specific name of type species of *Homalaspis* Milne Edwards (A.), 1863) (Class Crustacea, Order Decapoda) ;

(b) *niger* Hartig, 1840, as published in the combination *Figites niger* (Class Insecta, Order Hymenoptera).

(5) The under-mentioned generic name is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* with the Name No. 755 :—*Homalaspis* Reinhard, 1860, as suppressed under the Plenary Powers under (1) above.

I. THE STATEMENT OF THE CASE

On 3rd December 1954, Mr. Francis Hemming, as Secretary, submitted to the International Commission on Zoological Nomenclature the following paper drawing attention to the fact that the generic name *Homalaspis* Milne Edwards (A.), 1863 (Class Crustacea, Order Decapoda) which in 1925 (*Smithson. misc. Coll.* 73 (No. 3) : 13) was placed on the *Official List of*

Generic Names in Zoology by the Ruling given in *Opinion* 85, was invalid by reason of being a junior homonym of *Homalaspis* Reinhard, 1860 (Class Insecta, Order Hymenoptera) and recommending that, as the name *Homalaspis* Reinhard was not in use in the Class Insecta, the entry on the *Official List* in relation to the name *Homalaspis* Milne Edwards in Crustacea should be validated under the Plenary Powers :—

Proposed validation, under the Plenary Powers, of the generic name “Homalaspis” Milne Edwards (A.), 1863 (Class Crustacea, Order Decapoda) (proposed validation of an error in “Opinion” 85)

By FRANCIS HEMMING, C.M.G., C.B.E.

(Secretary to the International Commission on Zoological Nomenclature)

The purpose of the present application is to seek the assistance of the International Commission on Zoological Nomenclature in validating the generic name *Homalaspis* Milne Edwards (A.), 1863 (*Ann. Sci. nat.*, Paris (Zool.) (4) 20 : 279) (Class Crustacea, Order Decapoda), which was placed on the *Official List of Generic Names in Zoology* by the Ruling given in *Opinion* 85 (1925, *Smithson. misc. Coll.* 73 (No. 3) : 13) in the erroneous belief that it was a nomenclatorially available name.

2. The present case came to light in 1944 during a preliminary survey of the pre-1936 entries on the *Official List of Generic Names in Zoology* which I carried out at that time. That survey showed that the name *Homalaspis* Milne Edwards, 1863, was invalid by reason of being a junior homonym of the name *Homalaspis* Reinhard, 1860 (*Berlin. ent. Z.* 4 : 239), an emendation of the name *Omalaspis* Giraud, 1860 (*Verh. zool.-bot. Ges. Wien* 10 (Abh.) : 155), the name of a genus in the Order Hymenoptera (Class Insecta).

3. As a first step in the examination of the question of the action needed in the present case, I consulted Dr. R. B. Benson (*British Museum (Natural History), London*) for the purpose of ascertaining whether the suppression under the Plenary Powers of the name *Homalaspis* Reinhard for the purpose of validating the name *Homalaspis* Milne Edwards in the Class Crustacea would cause any disturbance or inconvenience in the nomenclature of the Hymenoptera. Dr. Benson replied on 21st April 1944 as follows :—

I cannot see that any possible harm could come by suppressing *Homalaspis* Reinhard.

Omalaspis Giraud is in use for a genus of the Cynipoid family ASPICERIDAE. The three described species, all European, are rare or, at least, little known, and they rarely appear in the literature. Since Dalla-Torre & Kieffer's (1910) *Cynipidae* in *Das Tierreich*, where "*Omalaspis*" was used, I am not aware that the form of the name "*Homalaspis*" has ever been used. I only know of three references to "*Omalaspis*" (Hedicke, 1928, *Bull. Soc. ent. France* 1928 : 280, Weld, 1931, *Proc. ent. Soc. Wash.* 33 : 221 and Rohwer & Fagan, 1917, "The type species of the Genera of the Cynipidae . . .", *Proc. U.S. nat. Mus.* 53 : 357—380 ; and in this type list the form of the name "*Homalaspis*" is not even mentioned !). I cannot see any reason therefore against suppressing *Homalaspis* Reinhard as no confusion is likely to arise. Even if *Omalaspis* Giraud is later found to be invalid for any reason, there is a second string in *Lambertiona* Kieffer, with a conspecific type species.

4. Dr. Benson's letter made it quite clear that there could be no objection from the entomological side to the validation of the generic name *Homalaspis* Milne Edwards, 1863, in the Class Crustacea, and I recommend that this action should now be taken by the International Commission, in order that the defective entry of this name on the *Official List of Generic Names in Zoology* made by *Opinion* 85 may thereby be regularised.

5. I further recommend that in pursuance of the General Directive issued to the Commission by the International Congress of Zoology that Rulings given in *Opinions* are in future to cover the whole field embraced in any given instance, the Commission should at the same time place the generic name *Omalaspis* Giraud, 1860, on the *Official List of Generic Names in Zoology*. As regards the type species of that genus, I am informed (*in litt.*, 6th December 1954) by Dr. Benson that L. H. Weld (1952, *Cynipoidea (Hym.) 1905—1950*, Ann Arbor, Michigan : 16) has expressed the view that the name *Omalaspis noricus* Giraud, 1860, is a junior synonym of *Omalaspis nigra* (Hartig, 1840) (= *Figites niger* Hartig, 1840, *Z. Ent. (Germar)* 2 : 202). In these circumstances, the correct course under the standard procedure will be to place the name *niger* Hartig, 1840, but not its junior subjective synonym *noricus* Giraud, 1860, on the *Official List of Specific Names in Zoology*. At the same time the Invalid Emendation *Homalaspis* Reinhard, 1860, will need to be placed on the *Official Index of Rejected and Invalid Generic Names in Zoology*.

6. No question of family-group names arises in connection with either of the generic names involved in the present application, for the Decapod genus *Homalaspis* Milne Edwards is, I am informed by Dr. Isobel Gordon (*British Museum (Natural History)*, London),

currently referred to the family XANTHIDAE, while the Hymenoptera genus *Omalaspis* Giraud is currently referred to the family ASPICERIDAE.

7. The recommendation which I now submit is that the International Commission should :—

- (1) use its Plenary Powers for the purpose of suppressing the generic name *Homalaspis* Reinhard, 1860 (Class Insecta, Order Hymenoptera) for the purposes both of the Law of Priority and of the Law of Homonymy ;
- (2) substitute the following revised entry on the *Official List of Generic Names in Zoology* for Name No. 320 :—
Homalaspis Milne Edwards (A.), 1863, *Ann. Sci. nat.*, Paris (Zool.) (4) 20 : 279 (gender : feminine) (type species, by original designation : *Xantho planus* Milne Edwards (H.), 1834, Roret's *Suite à Buffon, Hist. nat. Crust.* 1 : 397) ;
- (3) place the under-mentioned generic name on the *Official List of Generic Names in Zoology* :—
Omalaspis Giraud, 1860, *Verh. zool.-bot. Ges. Wien* 10(Abh.) : 155 (gender : feminine) (type species, by monotypy : *Omalaspis noricus* Giraud, 1860, *Ver. zool.-bot. Ges. Wien* 10(Abh.) : 155) (Class Insecta, Order Hymenoptera) ;
- (4) place the under-mentioned specific names on the *Official List of Specific Names in Zoology* :—
 (a) *planus* Milne Edwards (H.), 1834, as published in the combination *Xantho planus* (specific name of type species of *Homalaspis* Milne Edwards (A.), 1863) ;
 (b) *niger* Hartig, 1840, as published in the combination *Figites niger* ;
- (5) place the under-mentioned generic names on the *Official Index of Rejected and Invalid Generic Names in Zoology* :—
 (a) *Homalaspis* Reinhard, 1860, as suppressed under the Plenary Powers under (1) above ;
 (b) *Homalaspis* Brunner v. Wattenwyl, 1895, *Monogr. Pseudophylliden* : 18, 217 (junior homonym of *Homalaspis* Milne Edwards (A.), 1863) ;
 (c) *Homalaspis* Kiaer, 1932, *Skr. Svalbard Ishavet Oslo* 52 : 14 (junior homonym of *Homalaspis* Milne Edwards (A.), 1863).

II. THE SUBSEQUENT HISTORY OF THE CASE

2. Registration of the present application : Upon the receipt of Mr. Hemming's application the question of the proposed validation under the Plenary Powers of the generic name *Homalaspis* Milne Edwards, 1863, was allotted the Registered Number Z.N.(S.) 560.

3. Publication of the present application : The present application was sent to the printer on 31st December 1954 and published on 28th February in the following year in Part 3 of Volume 11 of the *Bulletin of Zoological Nomenclature* (Hemming, 1955, *Bull. zool. Nomencl.* **11** : 83—85).

4. Issue of Public Notices : Under the revised procedure prescribed by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 28th February 1955 (a) in Part 3 of Volume 11 of the *Bulletin of Zoological Nomenclature* (the Part in which Mr. Hemming's application was published) and (b) to the other prescribed serial publications. In addition, such Notice was given also to certain general zoological serial publications and to a number of entomological serials in Europe and America.

5. No objection received : Neither the publication of the present application in the *Bulletin of Zoological Nomenclature* nor the issue of Public Notices in regard thereto elicited any objection to the action proposed from any source.

III. THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

6. Issue of Voting Paper V.P.(55)22 : On 9th November, 1955 a Voting Paper (V.P.(55)22) was issued in which the Members

of the Commission were invited to vote either for, or against, "the proposal relating to the generic name *Homalaspis* Milne Edwards, 1863, as set out in Points (1) to (5) in paragraph 7 on page 84 and the top of page 85 of Volume 11 of the *Bulletin of Zoological Nomenclature*" [i.e. in the Points numbered as above in paragraph 7 of the application reproduced in the first paragraph of the present *Direction*].

7. The Prescribed Voting Period : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 9th February 1956.

8. Particulars of the Voting on Voting Paper V.P.(55)22 : At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(55)22 was as follows :—

(a) *Affirmative Votes had been given by the following twenty-five (25) Commissioners (arranged in the order in which Votes were received) :*

Holthuis ; Hering ; Vokes ; Bodenheimer ; Bradley (J.C.) ; Mayr ; Jaczewski ; Riley ; Dymond ; Prantl ; Lemche ; Esaki ; Mertens ; do Amaral ; Hankó ; Key ; Boschma ; Sylvester-Bradley ; Cabrera ; Stoll ; Bonnet ; Miller ; Tortonese ; Kühnelt ; Hemming ;

(b) *Negative Votes :*

None ;

(c) *Voting Papers not returned :*

None.

9. Declaration of Result of Vote : On 10th February 1956, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(55)22, signed a Certificate that the Votes cast were as set out in paragraph 8 above and declaring that the proposal sub-

mitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

10. Withdrawal of two proposals on which, subsequent to the publication of the present application, action was taken by the International Commission by the Ruling given in "Direction" 37 : On 29th December 1955, Mr. Hemming, as Secretary, after signing *Direction* 37¹, in which, *inter alia*, the Commission placed the generic names *Homalaspis* Brunner v. Wattenwyl, 1895, and *Homalaspis* Kiaer, 1932, on the *Official Index of Rejected and Invalid Generic Names in Zoology*, executed the following Minute withdrawing from the scope of Application Z.N.(S.) 560 the proposals there submitted in regard to the foregoing names :—

**Withdrawal of proposals relating to two junior homonyms of
"Homalaspis" Milne Edwards (A.), 1863**

By FRANCIS HEMMING, C.M.G., C.B.E.

(*Secretary to the International Commission on Zoological Nomenclature*)

The routine proposals submitted in the present case included a recommendation (in Point (5) of paragraph 7) that the names *Homalaspis* Brunner v. Wattenwyl, 1895, and *Homalaspis* Kiaer, 1932, as junior homonyms of *Homalaspis* Milne Edwards (A.), 1863, should be placed on the *Official Index of Rejected and Invalid Generic Names in Zoology*. The same proposal was later included in a Paper Numbered Z.N.(S.) 987, which was concerned with clearing up outstanding questions relating to the names of genera belonging to the Order Decapoda of the Class Crustacea placed on the *Official List of Generic Names in Zoology* in the period up to the end of 1936. This latter paper was submitted to the Commission under the One-Month Rule on 19th September 1955 with Voting Paper V.P.(O.M.)(55)28 and was approved by the Commission on 1st November 1955.

2. In the light of the above decision the proposals relating to the disposal of the foregoing invalid generic names submitted with Paper Z.N.(S.) 987, together with the other proposals there submitted, have today been incorporated in the Ruling given in a *Direction* numbered *Direction* 37.

¹ *Direction* 37 was published on 1st September 1956 (*Ops. Decls. int. Comm. zool. Nomencl.* 1(D.) : 47—82).

3. In these circumstances no further action requires to be taken in connection with the foregoing generic names, and the proposals in regard thereto in Application Z.N.(S.) 560 are accordingly withdrawn.

11. Preparation of the Ruling given in the present " Direction " : On 27th May 1956, Mr. Hemming prepared the Ruling given in the present *Direction* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(55)22, subject to the omission therefrom of the two names specified in the Minute executed by the Secretary on 29th December 1955, the text of which has been reproduced in paragraph 10 of the present *Direction*.

12. Original References : The following are the original references for the names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Direction* :—

Homalaspis Reinhard, 1860, *Berlin. ent. Z.* **4** : 239

niger, Figites, Hartig, 1840, *Z. Ent. (Germar)* **2** : 202

Omalaspis Giraud, 1860, *Verh. zool.-bot. Ges. Wien* **10**(Abh.) : 155

planus, *Xantho*, Milne Edwards (H.), 1834, (Roret's *Suite à Buffon*), *Hist. nat. Crust.* **1** : 397

13. Family-Group-Name Aspects : No family-group-name problems arise in the present case, the genus *Homalaspis* Milne Edwards, 1863 (Class Crustacea, Order Decapoda) being currently placed in the family XANTHIDAE and the genus *Omalaspis* Giraud, 1860 (Class Insecta, Order Hymenoptera) in the family ASPICERIDAE.

14. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Direction* is accordingly hereby rendered in the name of the said International Com-

mission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

15. The present *Direction* shall be known as *Direction Fifty (50)* of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-Seventh day of May, Nineteen Hundred and Fifty-Six.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING